

May 4, 1989

LB 769

of things. I mean, my health, I am overweight, I mean that is my health. Does that constitute, if it is going to make someone overweight, does that constitute a serious concern to their health? The American Medical Association says it will.

SENATOR CHAMBERS: But the point that I am getting to that you understand and I understand is we are talking about a pregnant female going to a doctor who understands what is entailed here and would know whether or not the continuation of that pregnancy would provide a serious and immediate threat to her health. Now, and if you would like...if you have an answer from the bill that Senator Labeledz is offering, I don't mind you using that or whatever else you have to deal with it, so you can use it all.

SENATOR LINDSAY: No, that just...what she offered, it goes back to Section 8 of the bill where I referred to was already in there. It dealt with the abortion being necessary to prevent the woman's death. Now as I mentioned, health is a very, I guess if you'd agree, is a very broad term that can be defined in a variety of manners.

SENATOR CHAMBERS: Senator Lindsay, is it broader in meaning now that you and I are discussing it than it is in the law which currently is on the books and has not been ruled unconstitutional?

SENATOR LINDSAY: Well, and that, I guess, going back to another comment..

SENATOR CHAMBERS: Let me ask you, is it broader now than it is...is it broader while you and I are discussing it than it is in the existing law, that is what I would ask you?

SENATOR LINDSAY: Oh, it is a possibility.

SENATOR CHAMBERS: Now, when Judge Urbom had this whole section before him, did he strike that as being overbroad?

SENATOR LINDSAY: He did not have the whole section before him, he had the two subsections. His order refers to subsections (1) and (2).

SENATOR CHAMBERS: Exactly, but the whole section was available for him to rule on.